HIGH COURT OF CHHATTISGARH, BILASPUR

Single Bench : Hon'ble Shri H.L. Dattu, CJ.

Writ Petition No. 324 of 1994.

Petitioner

Mohan Bharati, S/o Shri Rajdeo Bharati aged about 45 years Businessman r/o Q.No. 1-B, Street No.12, Sector 4, Bhilai Nagar, Tah. And Distt. Durg (M.P.)

Vs.

Respondents

1. Special Area Development Authority Bhilai Durg
through : Chairman, SADA, Supela, Bhilai-Nagar, Tah. & Distt. Durg (M.P.)

2. Chief Executive Officer Special Area Development Authority Bhilai Durg, Office – Supela, Bhilai, Tah & Distt. Durg (M.P.)

3. Steel Authority of India Ltd.
Through : Managing Director, Bhilai Steel Plant, Bhilai Nagar, Tah and Distt. Durg (M.P.)

4. State of Madhya Pradesh
Through : Secretary, Town & Country Planning Department, Bhopal (M.P.)

5. Estate Officer, (Under Public Premises eviction of un-authorised Occupants) Act 1971) T.A. Building Civic Centre, Bhilai Nagar, Tah. And Distt. Durg (M.P.)

6. Shri A.N. Kuttappan Nair, Nair Hotel, Adarsh Nagar, Durg (M.P.)

Petition under Articles 226/227 of the Constitution of India for Writs in the nature of Certiorari, Mandamus, Prohibition etc. and for further appropriate directions.

Present: Shri V.G. Tamaskar, counsel for the petitioner.
Shri A.S. Kachhawaha, G.A. for respondent No.4/State.

ORAL ORDER
(Passed on 30th April, 2007)

The petitioner claims that he is a citizen of India and resident of Bhilai Nagar, Distt. Durg.

(2) The first respondent is a Local-Authority constituted under the provisions of Section 64 of the M.P. Nagar, Tatha Gram Nivesh Adhiniyam, 1973.

(3) In this petition filed under Articles 226 and 227 of the Constitution of India, grievance of the petitioner is that the respondents have not regularized the allotment of Shop No. 42, Camp 1, Bhilai Nagar. Therefore, he is before this Court in this writ petition inter alia seeking certain directions to the respondents.

(4) In my opinion, the petition filed by the petitioner is premature. Before approaching this Court for the aforesaid relief, the petitioner ought to have filed an appropriate representation before the respondents requesting them to regularize the plot/shop No. 42 at Bhilai Nagar as has been done in the case of others. Without doing so, he would not have approached this Court. In that view of the matter, without going into the other details of the case, the petition is disposed of with a direction to the petitioner to make appropriate representation before respondent No.3 within 15 days time from today for appropriate relief.

(5) Third respondent-Steel Authority of India, Ltd is directed to consider the representation, if the same is filed by the petitioner within the time granted by the Court, in accordance with law as expeditiously as possible, at any rate, within a month from the date of filing of the representation by the petitioner. All the contentions of the parties are left open. Ordered accordingly.

Sd/-
Chief Justice